

**In The Matter Of:**  
*Selena Howard, et al. v*  
*Forrest County, et al.*

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*Selena Howard*  
*April 27, 2020*

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*Reporting*  
Realtime Court  
Reporters

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*Min-U-Script® with Word Index*

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1	IN THE UNITED STATES DISTRICT COURT
2	FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
	EASTERN DIVISION
3	SELENA HOWARD, DARIOUS LEGGETT; AND
4	ANTRINET LEGGETT PLAINTIFFS
5	VERSUS NO. 2:19-CV-84-KS-MTP
6	FORREST COUNTY; CHEY SUMRALL
7	INDIVIDUALLY AND IN HIS
8	OFFICIAL CAPACITY; BLAKE BASS,
	INDIVIDUALLY AND IN HIS OFFICIAL
	CAPACITY DEFENDANTS
9	*****
10	DEPOSITION OF SELENA HOWARD
11	VIA ZOOM VIDEO CONFERENCE
12	*****
13	APPEARANCES NOTED HEREIN
14	
15	DATE: APRIL 27, 2020
16	PLACE: ZOOM VIDEO CONFERENCE
17	TIME: 1:00 p.m.
18	
19	REPORTED BY: AMANDA MAGEE WOOTTON
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1	* * * * *
2	SELENA HOWARD,
3	after having first been duly sworn, was
4	examined and testified under oath as follows,
5	to-wit:
6	E X A M I N A T I O N
7	EXAMINATION BY MS. SMITH:
8	Q Okay. Selena, I can't hear you a little
9	bit. If you don't mind speaking up. I don't know
10	why. For some reason, it is muffled. My name is
11	Christina. I represent Forrest County and Chey
12	Sumrall and Blake Bass. And Mary Lee down there
13	represents Chey Sumrall in his individual capacity.
14	Have you ever been deposed before?
15	A No, ma'am.
16	Q Okay. Just a few tips. I'm sure you've
17	heard them because you've been sitting in the room.
18	Just answer out loud when I ask a question. I know
19	sometimes we nod our head and shake our head, but the
20	court reporter has to take you down, Amanda, up there,
21	so we just need to get a verbal response. And you're
22	under oath just like you would be in court, so we
23	just -- just want to make sure that you're aware of
24	that.
25	And if I ask a bad question, if you don't

<p style="text-align: right;">Page 5</p> <p>1 understand me, just ask me to rephrase. I don't mind.  2 Sometimes I do ask a bad question or you can't hear  3 me. And if you need a break, just let me know.  4 So do you know why you're here today?  5 A Yes, ma'am.  6 Q Okay. And is that from the incident that  7 occurred with the Forrest County deputies on  8 September 27th, 2017?  9 A Yes, ma'am.  10 Q Okay. Are you on any medication today that  11 might make it difficult to answer?  12 A No, ma'am.  13 Q Okay. State your full name for the record.  14 A Selena Maria Howard.  15 Q Selena Maria Howard?  16 A Yes, ma'am.  17 Q What is your age?  18 A Twenty-four years old.  19 Q What's your birthday?  20 A November 10th, 1995.  21 Q Okay. And did you do anything to prepare  22 for your deposition today?  23 A No, ma'am. Besides to speak to my lawyer.  24 Q Did you look at any documents?  25 A No, ma'am.</p>	<p style="text-align: right;">Page 7</p> <p>1 A They played football together.  2 Q So you've never had any disagreements with  3 Blake before?  4 A No, ma'am.  5 Q Where do you reside?  6 A At 1348 Elks Lake Road, Hattiesburg,  7 Mississippi.  8 Q Is that the same address that the incident  9 took place at?  10 A Yes, ma'am.  11 Q How long have you lived there?  12 A Five years.  13 Q And are you the leaseholder?  14 A Yes, ma'am.  15 Q Who lives with you?  16 A Darius, my sister Patricia, and my niece  17 Isabella.  18 Q How old is your sister?  19 A My sister just turned 22.  20 Q And your niece, Isabella, is four?  21 A She just turned five.  22 Q Five. Has anybody else ever lived with you  23 there?  24 A His mother, Antrinet.  25 Q Who is he? Darius?</p>
<p style="text-align: right;">Page 6</p> <p>1 Q Have you ever filed a civil case before, a  2 civil lawsuit?  3 A No, ma'am.  4 Q Have you ever been arrested?  5 A No, ma'am.  6 Q Have you had any encounters with any Forest  7 County deputies before this incident?  8 A No, ma'am.  9 Q Okay. Tell me a little bit about your  10 education. Do you have a high school diploma?  11 A Yes, ma'am. I graduated from Forrest County  12 in 2015, and I'm currently enrolled at PRCC for  13 radiology technician.  14 Q Okay. Have you met Blake or Chey before?  15 A I went to school with Blake. And Chey used  16 to come to the Subway I used to work at when I was  17 working there.  18 Q He would come in to eat?  19 A Yes, ma'am.  20 Q Have you spoken with him before?  21 A Small talk.  22 Q And what about Blake? Were you friends with  23 him?  24 A Never just really spoken to him.  25 Q Was Darius friends with him?</p>	<p style="text-align: right;">Page 8</p> <p>1 A Darius' mother.  2 Q How long did she live there?  3 A About six months.  4 Q And what were the time periods?  5 A I'm not sure.  6 Q Okay. But she lived there during the time  7 of the incident?  8 A Yes, ma'am.  9 Q Did your sister -- I'm sorry. Go ahead.  10 A Sorry. She had -- she had just moved out  11 and in with her fiance. She was back and forth. But  12 my sister had -- didn't -- she had just moved in at  13 the time.  14 Q Okay. Who owns the property?  15 A Shelby Rogers.  16 Q And did you live anywhere prior to that  17 address?  18 A I lived -- I forgot the address. I know it  19 was -- 35 J.L. Williams Road.  20 Q Are you currently married?  21 A No, ma'am.  22 Q You're dating Darius?  23 A Yes, ma'am.  24 Q How long have y'all dated?  25 A September makes nine years.</p>

<p style="text-align: right;">Page 9</p> <p>1 Q So that's 2011?</p> <p>2 A Uh-huh, yes.</p> <p>3 Q That's in high school?</p> <p>4 A Yes, ma'am.</p> <p>5 Q Do y'all have any children?</p> <p>6 A No, ma'am.</p> <p>7 Q Do you have any other family that lives in</p> <p>8 Mississippi besides Patricia?</p> <p>9 A I have an aunt that lives in Purvis. My --</p> <p>10 we're from Texas, so all of my family lives in Texas.</p> <p>11 Q Okay. Are you currently employed?</p> <p>12 A Yes, ma'am. I work at Hattiesburg Health</p> <p>13 and Rehab on Bay Street.</p> <p>14 Q How long have you worked there?</p> <p>15 A I've worked there a year and a half.</p> <p>16 Q What do you do there?</p> <p>17 A I'm a certified nurse assistant.</p> <p>18 Q A CNA?</p> <p>19 A Yes, ma'am.</p> <p>20 Q And were you working there at the time of</p> <p>21 the incident?</p> <p>22 A No, ma'am. I was unemployed.</p> <p>23 Q Did you work at the Subway?</p> <p>24 A I had been in between jobs but -- I wasn't</p> <p>25 there at the time of the incident.</p>	<p style="text-align: right;">Page 11</p> <p>1 A No. Shelby Rogers owns the land.</p> <p>2 Q He owns the land all the way from the road</p> <p>3 to the cemetery?</p> <p>4 A Yes, ma'am.</p> <p>5 Q And there's no right-of-way to get to the</p> <p>6 cemetery?</p> <p>7 A Just through the yard.</p> <p>8 Q Okay. Do you know what a right-of-way is?</p> <p>9 A Not -- I thought I had a clue. I'm not</p> <p>10 sure.</p> <p>11 Q Okay. So you're not really sure if there's</p> <p>12 a right-of-way by the county?</p> <p>13 A I just know they come through the driveway</p> <p>14 and go -- that's how they get there. That's how they</p> <p>15 have been getting through there.</p> <p>16 Q Okay. How many dogs do you have?</p> <p>17 A I have two.</p> <p>18 Q And they're your dogs?</p> <p>19 A Yes, ma'am.</p> <p>20 Q Are they Darius'?</p> <p>21 A They're mine.</p> <p>22 Q So they're not -- they're not both of your</p> <p>23 dogs?</p> <p>24 A I mean, they're both of ours as a couple,</p> <p>25 but if we were to split, they would be my dogs.</p>
<p style="text-align: right;">Page 10</p> <p>1 Q Were you in school?</p> <p>2 A No, ma'am.</p> <p>3 Q So prior to the incident, the day prior, on</p> <p>4 September 26th, 2017, do you know if anybody came onto</p> <p>5 the property?</p> <p>6 A An older couple came through the property to</p> <p>7 look at the graveyard in the back of the house.</p> <p>8 Q Okay.</p> <p>9 A They asked if they could see the graveyard</p> <p>10 in the back and we told them they could. So they were</p> <p>11 back there. They were back there maybe less than five</p> <p>12 minutes. And when they pulled back through the yard,</p> <p>13 they asked if anybody had been pretty much going back</p> <p>14 there and taking care of it, if they had been keeping</p> <p>15 the maintenance on it, and we had told them we hadn't</p> <p>16 seen -- me and Darius had told them that we hadn't</p> <p>17 seen anybody go back there in a while, but we know</p> <p>18 that Forrest County was taking care of it.</p> <p>19 Q Did they ever say anything about the dogs?</p> <p>20 A No, ma'am.</p> <p>21 Q Do you know if there is a right-of-way in</p> <p>22 the back of the house to get to the cemetery?</p> <p>23 A There is only one way. The back way, the</p> <p>24 trees grew up back there, so you can't go through it.</p> <p>25 Q Does the county own that stretch of land?</p>	<p style="text-align: right;">Page 12</p> <p>1 Q Okay. But you both own the dogs?</p> <p>2 A Yes.</p> <p>3 Q How many dogs are there?</p> <p>4 A There are two.</p> <p>5 Q There are two. What kind of -- what kind of</p> <p>6 dogs are they?</p> <p>7 A They are pit bull lab mix.</p> <p>8 Q And where are they located on the property?</p> <p>9 Where do you keep them?</p> <p>10 A They -- we keep them either running around,</p> <p>11 or when they tear trash up, we put them on the leash,</p> <p>12 on the tree.</p> <p>13 Q How long is that leash?</p> <p>14 A I can't say for sure how long it is. At</p> <p>15 least about a yard or two.</p> <p>16 Q A yard?</p> <p>17 A I'm not -- I'm not real sure.</p> <p>18 Q What -- is it like a rope, or is it an</p> <p>19 actual dog --</p> <p>20 A It is an actual dog leash.</p> <p>21 Q Okay. And do they have a dog house?</p> <p>22 A Yes.</p> <p>23 Q Do they have bowls and water?</p> <p>24 A Yes, ma'am.</p> <p>25 Q And food?</p>

1 A Yes, ma'am.  
2 Q Did the dogs look skinny on that day?  
3 A Not that I -- the dogs look the same to me  
4 as they normally do.  
5 Q How many times do you feed them a day?  
6 A We feed them twice a day. At that time --  
7 at that time, I was going through a hard time, so we  
8 were feeding them once and then feeding them what we  
9 were eating.  
10 Q Okay. So they were -- do you know if they  
11 were malnourished?  
12 A No, ma'am.  
13 Q Did they have any sort of cuts on them?  
14 A One of our dogs, she had grew her leash, and  
15 it had left a small little mark on her neck. And we  
16 were cleaning it with Neosporin and peroxide and all  
17 of that.  
18 Q Are you talking about the collar was in her  
19 neck?  
20 A No, it wasn't in her neck. It had just --  
21 because she was growing, it had just cut her neck.  
22 Q So the collar was too small?  
23 A Yeah. She had grew -- she had grew too big  
24 for the collar.  
25 Q Okay. You didn't take it off her neck?

1 A Yeah, we did, as soon as we noticed that it  
2 was --  
3 Q Are they both girls, or is there a boy and a  
4 girl?  
5 A They're both girls.  
6 Q Have they ever bitten anyone before?  
7 A No, they're not vicious.  
8 Q So this property, can you describe it to me?  
9 How does it -- does it face the road?  
10 A The cabin faces the road, but you can not  
11 see the property from the driveway. You really can't  
12 tell there is a driveway there until you pull onto --  
13 like pull up to it.  
14 Q And how many bedrooms is this house?  
15 A There are three bedrooms.  
16 Q Three bedrooms? And two bathrooms?  
17 A There is one.  
18 Q Okay. And there's a wraparound porch around  
19 it?  
20 A Yes, ma'am. There is a front porch. It is  
21 a shotgun house.  
22 Q Okay.  
23 A So it's a front porch, and then there --  
24 where it shotguns and splits the living and the  
25 kitchen area, that's the back porch, and the side

1 porch wraps all the way around.  
2 Q So the morning of the incident, September  
3 27, 2017, can you walk me through what happened that  
4 day?  
5 A Yes, ma'am. Do you want me to start from  
6 when we dropped her off or --  
7 Q Just tell me about that morning.  
8 A That morning we woke up and took my sister  
9 to her GED classes at PRCC. We rode past the store  
10 maybe five minutes from our house, and two police  
11 officers were sitting at the store. When we pulled  
12 into the driveway, once we parked, Darious took my  
13 niece into her room to lay her down, and me and his  
14 mother went to the kitchen area. By the time his  
15 mother went in the kitchen and walked out, the police  
16 officers had pulled into the driveway and got out of  
17 the car and turned the car off and walked up to the  
18 porch. When -- sorry.  
19 Q No, you're okay. You can keep going. I  
20 just want to know -- so you pull up, and five minutes  
21 later, the cops come out?  
22 A Yes.  
23 Q And you went out to greet them, or were you  
24 just walking out --  
25 A Yeah. I was just walking out onto the porch

1 from walking into the kitchen with his mother. When  
2 we walked out onto the porch, they were walking up,  
3 and I asked them how could I help them. And they  
4 directed -- Chey directed to his mother that he should  
5 have got her for whatever stunt she pulled.  
6 Q Now, what stunt was that?  
7 A I'm not sure. I wasn't with them at the  
8 time, so I have no clue what they are talking about.  
9 Q Have you asked her since?  
10 A I mean, we've asked her, but she doesn't  
11 know what they were talking about.  
12 Q So you know the difference between which one  
13 is Chey and which one is Blake, right?  
14 A Yes, ma'am.  
15 Q Okay. So when you come out onto the porch,  
16 do they -- where are they?  
17 A Blake and Chey are standing in front of the  
18 steps. They walk up and they stand in front of the  
19 steps.  
20 Q Is that on the side of the house, or is  
21 this -- I'm sorry. I didn't mean to interrupt you.  
22 A You're okay. It is on the side of the  
23 house.  
24 Q Okay.  
25 A By the time they walked up to the steps and

Page 17

1 Chey said what he said, I asked him what he was here  
 2 for. He didn't answer me. That's when Darious walked  
 3 outside. He heard us talking. He walked outside and  
 4 asked them what they were here for. And they really  
 5 didn't specify at first until he asked them if they  
 6 had a warrant to be on the property. And that's  
 7 when -- I can't remember if it was Blake or Chey, but  
 8 one of them said that they were there for the  
 9 well-being of the dog.

10 Q Did they say somebody reported it?

11 A They said they got a text message the night  
 12 before saying that our dogs were malnourished.

13 Q Did they get -- so they got a text message  
 14 from someone?

15 A That's what they told us. Me, Darious and  
 16 his mother.

17 Q Okay. And did they say anything else to  
 18 you?

19 A They didn't come to me at all. They kept  
 20 directing to Darious and his mother.

21 Q Where were you?

22 A I was standing on the porch beside his  
 23 mother the whole time.

24 Q Okay. And so what does Darious say to them?

25 A Darious asked them if they had a warrant to

Page 18

1 be on the property. They said that they were coming  
 2 to check the well-being of the dog. And he said,  
 3 "Well, what do we need to help you with?" And Chey  
 4 had told him that he's not allowed to have the dogs on  
 5 the leash, that he needed to take the dogs off the  
 6 leash. So he went to take the dogs off the leash.

7 When he went out there, I don't know  
 8 everything they said to him. I know they were saying  
 9 something because while he was kneeled down getting  
 10 the dogs off, Chey was leaned down saying something to  
 11 him. All I heard at the end was, "Go get the GD  
 12 food."

13 Q So the dogs are in the front of the house,  
 14 correct?

15 A There is one in the front and one on the  
 16 side.

17 Q So they're at two different places?

18 A Yes, ma'am.

19 Q But are they tied with the same leash?

20 A No, they're not tied with the same leash.

21 Q Do they have two different dog houses?

22 A Yes. One of them had a dog house. The  
 23 other one did not. But the tree that the dog was  
 24 under -- we don't keep the dogs, you know, tied up to  
 25 the tree. So if it was hot or rainy outside, we take

Page 19

1 the dogs off and let them onto the porch, because the  
 2 porch has covering all the way around.

3 Q But they were tied up that day when the  
 4 officers arrived?

5 A Yes, ma'am, they were tied up that day.

6 Q Did they have water next to both of them?

7 A Yes, ma'am. They had a water bowl and a  
 8 food bowl. Their food bowl was empty because we had  
 9 fed them before we left the house. They did have  
 10 water in their bowls.

11 Q So where did Darious and Chey and Blake go,  
 12 which dog? The one on the side or the one in the  
 13 front?

14 A They went to the one on the side.

15 Q Okay. And how far away was it from you?

16 A About -- about 10 yards probably.

17 Q 10 yards? Okay. I'm not in front of you,  
 18 so we can't estimate distance.

19 A Yeah. Yeah.

20 Q Okay.

21 A It's not -- I'm trying to think of how I  
 22 could describe it.

23 Q You know a regular car. How many car  
 24 lengths would you say, or if that, even?

25 A Two and a half.

Page 20

1 Q Okay. And so you couldn't hear what the  
 2 officers were telling Darious, correct?

3 A No, I could not.

4 Q Did Darious take them off the leash?

5 A Yes, he took them off the leash.

6 Q And what was he doing next?

7 A I heard Chey say, "Get the GD dog food." So  
 8 Darious told him that he was going to go get it from  
 9 the house. They walked onto the porch, and when they  
 10 got up to the porch, Chey tried to follow Darious in  
 11 the house, and Darious told him he knew his rights.  
 12 He wasn't allowed in the house. He didn't have a  
 13 warrant to be on the property. He would show him the  
 14 dog food. He got the tote that we had the dog food in  
 15 and opened it up and showed Chey. Chey said that  
 16 there was a little bit of nothing in there. And  
 17 Darious stated that's because we feed our dogs, and we  
 18 were running out of dog food. We had to go get some.

19 And Chey got hostile with him and asked him  
 20 what does he wants to do about it, he seems like he  
 21 wants to do something. Darious -- Darious put the dog  
 22 food bowl -- I meant the dog tote down, the food tote,  
 23 and told him that he didn't want any problems, that he  
 24 didn't know what he was talking about. And Chey kept  
 25 saying, "You seem like you want to do something. What

Page 21

1 do you want to do?" It was like he was trying to  
2 provoke him. That's when Darious' mother stepped in  
3 and told him that we don't want any problems, that  
4 they needed to do what they needed to do and leave.  
5 They didn't have a warrant to be there.

6 After that, Darious went to -- Darious'  
7 mother walked to -- she was on the phone -- she was  
8 doing something on the phone. And when Darious went  
9 to walk away, that's when Chey started to try to grab  
10 him. He kept trying to grab his arm, and Darious put  
11 his arms up and asked them what was he -- what was he  
12 doing, was he under arrest. They never stated if he  
13 was under arrest. Chey kept trying to grab him, and  
14 he kept asking -- kept asking him what he was doing,  
15 was he under arrest. And eventually, he was backing  
16 up, and Chey went to grab him again, and he pushed him  
17 off the porch. And so that's how they got onto the  
18 ground.

19 Q So let's back up a little bit. So we are by  
20 the side of the house with the dogs, and you said,  
21 "They walked up on the porch." Who is "they"?

22 A Chey and Blake.

23 Q Chey and Blake and --

24 A And Darious. Sorry.

25 Q -- Darious. So Darious goes inside to get

Page 23

1 around in the yard.

2 Q Did one of the officers try to tase the dog?

3 A One of the officers, Chey, pointed the taser  
4 at the dog because the dog was -- but this didn't  
5 happen until they got onto the ground. When they were  
6 shoving Darious and pushing him around, the dog ran up  
7 and was barking at him. And he turned around and told  
8 us to get our dogs, we needed to put our dogs up, even  
9 though he had just told us to take them off the leash.

10 Q Did Darious -- okay. So Darious is on the  
11 porch, and Blake and Chey are on the porch, correct?

12 A Yes.

13 Q Chey or Blake never said that he was under  
14 arrest?

15 A No, never stated he was under arrest.

16 Q Did they issue any verbal commands --

17 A No.

18 Q -- and said, "Put your hands behind your  
19 back"?

20 A No, ma'am. Chey just kept trying to grab  
21 him, and he kept asking if he was under arrest. He  
22 never once stated.

23 Q So Chey just keeps grabbing Darious without  
24 saying anything?

25 A Yes. He kept trying to grab his arm, and

Page 22

1 the food, correct?

2 A Correct.

3 Q And then he comes back outside with the  
4 tote. Does the tote have any food in it?

5 A Yes. It didn't have a lot of food in it,  
6 but it had enough to feed all three of them -- well,  
7 not all three. I'm sorry. Both of them pretty much  
8 for that day a second time.

9 Q Now, you said three. You have three dogs?

10 A I do now, but that's...

11 Q Okay. But at the time, you had two?

12 A I only had two, yes.

13 Q Okay. And how much food was it?

14 A Like I say, it was enough to feed them  
15 for -- again that day. That's why we had stated we  
16 were going to get dog food. We were having to get  
17 more.

18 Q Did you say anything about, you know, not  
19 having enough money to buy food?

20 A No. I told him we were going through a hard  
21 time, and that his grandpa had been helping us with  
22 food. If I can't get it, his grandpa would get it.

23 Q What were the dogs doing at this time while  
24 everybody was on the porch?

25 A While we were on the porch, they were just

Page 24

1 Darious kept putting his hands up in the air and  
2 asking if he was under arrest, and Chey never stated  
3 if he was under arrest.

4 Q And did Blake ever say it?

5 A No. Blake never said anything. Blake  
6 stepped back. He was standing by the steps.

7 Q Okay. So this grabbing goes on, and the  
8 officer never says anything?

9 A No. Never said anything.

10 Q Okay. And then so they both fall off the  
11 porch, or did they jump off the porch?

12 A No. Darious had stepped back. When Chey  
13 kept getting in his face, he had stepped back. And  
14 when he stepped back, he almost fell off the porch,  
15 but Chey -- when Chey grabbed him, it was like he  
16 tried to do what he was doing again, grab his arm.  
17 And Darious stepped back, and he fell off the porch.  
18 And that's when Blake walked off of the porch, and  
19 Chey walked off with him. And Darious stood up, and  
20 that's when his mom was -- she came off the other side  
21 of the steps and got -- she didn't get right in  
22 between them, but she got, you know, in a -- kind of  
23 in the middle of them, but it wasn't directly in the  
24 middle. She had her hands up and asked them to  
25 "Please stop, please leave." They didn't have a

1 warrant. "We don't want any problems. Please leave  
2 the premises." I -- sorry.

3 Q Go ahead. You can go ahead.

4 A I tried stating that it was my residence and  
5 my dog. The lease was in my name. All they kept  
6 telling me was to step back. They didn't approach me  
7 at all.

8 Q Did the officers -- so we're on the ground  
9 now, and Darious is standing up?

10 A Yes, ma'am. He stood up, and that's when  
11 the officers walked down the steps. Darious was  
12 standing up, and his mother came in between them and  
13 had her hands up and asked them to please stop and to  
14 leave the premises.

15 Q Okay. What was Blake and Chey doing when  
16 the mom got in between them?

17 A She -- she kept begging them to stop. She  
18 grabbed the phone to call his grandmother. And when  
19 he called -- when she got on the phone with his  
20 grandmother, that's when Chey -- Chey had pushed her.  
21 When he shoved her, her head hit the lawn mower and  
22 she fell to the ground. He -- I'm not sure at what  
23 point in time that he did tase her, but I know she did  
24 have --

25 Q Well, let me back up because that wasn't the

1 question. Let me re-ask. What was Chey and Blake  
2 doing when Antrinet was in between them and Darious?  
3 Were they telling Darious that he was under arrest?  
4 Were they yelling? What was going on?

5 A No. They -- they -- Blake had the taser  
6 pointed at DeBo, because when Chey didn't make it down  
7 there before Blake did, Blake walked down the steps.  
8 And when he stood up, Darious' mother -- that's when  
9 Darious mother came in the middle because Blake had  
10 the taser pointed at him. And that's -- sorry.

11 Q Go ahead.

12 A That's when she asked them to please leave,  
13 we don't want any problems. And when she pulled out  
14 her phone, I don't recall them telling her at all to  
15 move out of the way or back up or anything like that.  
16 I remember her grabbing the phone, and Chey, he pushed  
17 her down. When he pushed her, her head hit the lawn  
18 mower, and she hit the ground. And then that's when  
19 they put her in handcuffs.

20 Q And so what was Darious doing?

21 A Darious was standing there with his hands  
22 up. When they pushed Antrinet, he leaned and said  
23 "Mom," and when he leaned and said it, Blake pulled  
24 the taser down and shot him in the genitals -- not  
25 Chey. I'm sorry. Blake Bass.

1 Q So officers and Darious, and then Antrinet  
2 is in the middle. And you're saying Blake pointed the  
3 taser down at this point and tased Darious?

4 A No, not when she was in the middle. He  
5 didn't -- he didn't tase -- he didn't tase Darious  
6 until Darious leaned over and said "Mom," and that's  
7 when he tased him.

8 Q Okay. Well, I'm just trying to back up a  
9 little bit. So we're still in between with Antrinet  
10 in between Darious and Blake and Chey. Was Darious  
11 yelling at the officers when Antrinet was in between  
12 them?

13 A No. Darious wasn't speaking at all.  
14 Antrinet was speaking.

15 Q And he wasn't cursing? He never cursed at  
16 the officers?

17 A Yes, he did curse at the officers. They had  
18 words exchanged. I'm not sure what all was exchanged.  
19 I was on the phone with dispatch at that time.

20 Q When was that?

21 A I called dispatch as soon as Darious fell  
22 off the porch and his mother got in the way, you know,  
23 like in the middle, kind of.

24 Q When did Darious and the officers get into a  
25 verbal altercation?

1 A They got --

2 MR. WAIDE: Object to form.

3 MS. SMITH: What did you say?

4 MR. WAIDE: I said object to the form.

5 COURT REPORTER: All I got was "Object  
6 to the form." Did you say anything after that?

7 MR. WAIDE: No, ma'am.

8 MS. SMITH: (Continuing.)

9 Q So you can still answer the question.

10 A I'm sorry. Repeat the question.

11 (Court reporter reads back requested  
12 portion.)

13 A They got into a verbal altercation after  
14 Chey was trying to grab him and had pushed him.

15 MS. SMITH: (Continuing.)

16 Q Okay. So this was on the ground?

17 A This was during, while he was grabbing him  
18 and pushing him. Once he hit the ground and stood up,  
19 his mother got in the way, and he didn't -- he wasn't  
20 speaking. His mother was speaking.

21 Q So if it got in a verbal altercation on the  
22 porch, what was -- what was Chey saying? You said he  
23 didn't say anything.

24 A They -- that's when Darious kept asking him  
25 what he was under arrest for, told them that it



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1 wasn't -- wasn't right, that it wasn't legal for him  
2 to be doing what -- well, what they were doing. I'm  
3 not sure of what all was said. It was a lot going on  
4 at the time. And it was so long ago, I don't remember  
5 the exact words.

6 Q But you do remember there was a heated  
7 argument?

8 A They did exchange words.

9 Q Okay. And there was cursing?

10 A Yes.

11 Q Okay.

12 A From both parties.

13 Q Okay. When they're on the ground and  
14 Antrinet gets in the middle, you said Chey pushed  
15 Antrinet?

16 A Yes. Chey pushed Antrinet.

17 Q Okay. And what happened afterwards?

18 A When Chey pushed Antrinet and she fell to  
19 the ground, he handcuffed her, and Blake -- that's  
20 when Blake shot -- well, tased Darious in the  
21 genitals. At that time, I honestly can't remember how  
22 exactly it happened after that. But I can remember  
23 seeing Blake take Antrinet to his patrol car, and Chey  
24 was holding the taser that Blake had tased Darious  
25 with.

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1 Q Okay. Was Antrinet tased?

2 A Yes.

3 Q When?

4 A I'm not sure of the exact time or point that  
5 she had got tased. But I remember the thing, it  
6 didn't stick in her hand, but her hand was tingly.  
7 She kept complaining about tingling, that she couldn't  
8 feel her hand.

9 Q When -- okay. So was this before or after  
10 Darious was tased?

11 A This was before Darious was tased.

12 Q So at what point between her getting pushed  
13 and Darious being tased -- when was she tased?

14 A I'm not sure exactly.

15 Q Was she --

16 A I was on the phone with dispatch, and  
17 honestly, I was trying to talk -- talk to them about  
18 the situation. I kept asking them why they were, you  
19 know, doing what they were doing, that it wasn't  
20 lawful, that they didn't have a warrant or anything to  
21 be there, that the lease was in my name. I kept  
22 repeating it. They weren't listening to me at all.

23 Q Where were you?

24 A I was on the last step of -- of the porch,  
25 like the very last to the ground.

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1 Q Did you ever try to intervene with the  
2 officers?

3 A No. I never tried to intervene.

4 Q You never got in between them and Antrinet?

5 A No. I never got in between them with  
6 anything. Darious -- after Darious was tased and he  
7 was laying there crying and praying to God, I -- I  
8 walked up and asked them if there was anything I could  
9 do. And the officers told me to back up, not to touch  
10 him.

11 Q Okay. So who tased Antrinet?

12 A Chey tased Antrinet.

13 Q Chey?

14 A Yes, ma'am. Chey was the officer that had  
15 shoved her.

16 Q Okay. So he -- he shot the taser at her?

17 A Yes.

18 Q Okay. Do you know if she was ever tased?

19 A She -- she got tased in the hand.

20 Q Okay. And that was with prongs?

21 A Yes. They didn't stick into her skin, but  
22 she did get tased.

23 Q Let me ask you this. You said that one of  
24 the dogs had been tased, correct?

25 A I'm not sure if the dog was tased or not. I

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1 am sure that he pointed -- I did see him point the  
2 taser at my dog, and my dog kind of like curled to the  
3 ground, and it just laid there. So I'm not sure if he  
4 did or not. I do know that my dog just curled up when  
5 he pointed it at her.

6 Q When was that?

7 A Or when Chey pointed it at her. While he  
8 was holding the taser for Blake, while Blake was  
9 taking Antrinet to the patrol car, the dog was steady  
10 coming behind him and barking. And he asked me to put  
11 the dog up. And I stated, "You asked me to take my  
12 dogs off the leash. They're outside dogs. I don't  
13 bring them in the house." And he said -- sorry, it  
14 was so long ago. That's when he -- I was still on the  
15 phone with dispatch. I don't remember exactly what  
16 happened after that.

17 Q Did you see prongs shoot out?

18 A No, I did not see prongs shoot out.

19 Q Did you see him touch the dog with the  
20 taser?

21 A No, I just seen him point the taser at the  
22 dog.

23 Q Did you see -- okay. So you said Chey tased  
24 Ms. Antrinet, correct?

25 A Correct.

1 Q Did he unhook those prongs, or what happened  
2 to that taser gun?  
3 A I have no clue what happened to the taser  
4 gun, but from what the -- from what I heard them  
5 talking about while we were at the scene, they said  
6 that the hospital or the ambulance had to be the ones  
7 to remove it.  
8 Q Okay. So when he pointed the taser at the  
9 dog, did he still have the prongs hanging off?  
10 A I'm not sure.  
11 Q Okay. So at what point did Darius get  
12 placed under arrest?  
13 A He never was -- they never told him -- they  
14 put handcuffs on him when they got -- once they got  
15 his mom in the car and Blake came back, they had put  
16 handcuffs on him.  
17 Q Okay. Did Ms. Antrinet look like she was  
18 resisting arrest?  
19 A No. She had not once resisted anything.  
20 Q Who put handcuffs on her?  
21 A Chey put handcuffs on her.  
22 Q Chey arrested her?  
23 A Yes. I'm -- I know for a fact that Blake is  
24 the one that took her to the patrol car. I'm not sure  
25 if Blake or Chey put the handcuffs on her exactly. I

1 just know that Chey was the one that took her to the  
2 ground.  
3 Q Okay. And who put handcuffs on Darius?  
4 A I'm not sure.  
5 Q Okay. Prior to Chey trying to tase  
6 Ms. Antrinet, did he issue any verbal commands?  
7 A No. They never issued any verbal commands.  
8 Q They never said anything to her?  
9 A No, ma'am.  
10 Q They never said they were going to tase her?  
11 A No, ma'am.  
12 Q Did they tell her to stop what she was  
13 doing?  
14 A No, ma'am.  
15 Q Okay. What about Darius? When Blake tased  
16 Darius, what happened?  
17 A He had it pointed at his head, and he  
18 dropped it to his genitals. He didn't once say that  
19 he was going to tase them or anything like that.  
20 Q He never told him to stop resisting or  
21 anything?  
22 A Darius had his hands in the air, so he  
23 couldn't have stopped and resisted anything. He was  
24 standing just like this.  
25 Q Was the arrest between Darius and Antrinet,

1 was that happening simultaneously?  
2 A Yes. It happened at the exact same time.  
3 Q So were you able to see it both at the same  
4 time?  
5 A I was standing on the porch at the time. I  
6 walked off the porch once Darius got tased.  
7 Q So were you able to see both of them at the  
8 same time?  
9 A Yes, ma'am.  
10 Q And talk to dispatch on the phone?  
11 A Yes, ma'am. I had them on speakerphone.  
12 Q And you heard all -- you heard and saw  
13 everything perfectly, right?  
14 A Yes, ma'am.  
15 Q Okay. Well, you're really talented. And --  
16 okay. How long did you stay on the phone with  
17 dispatch?  
18 A I'm not sure. I stayed on the phone with  
19 dispatch until the other three officers showed up.  
20 Q So there were three officers that arrived.  
21 How long after?  
22 A About ten, 15 minutes.  
23 Q Where were the dogs during this whole time?  
24 A I'm not sure where the dogs were at that  
25 time.

1 Q Okay. How soon after did the ambulance  
2 arrived?  
3 A They pulled up when the officers pulled up.  
4 Q What did you do after Darius was taken to  
5 the hospital?  
6 A I called -- while Darius -- after the  
7 police, the other officers had showed up, that's when  
8 I called Shelby Rogers, and I was telling the landlord  
9 what was going on. And he -- he just pretty much told  
10 us to make sure that everything was okay, to keep calm  
11 about the situation. He didn't really say much. Just  
12 to keep in touch with him and let him know what was  
13 all going on.  
14 After I got off the phone with him, I called  
15 DeBo's coach so he could talk to him and let him know  
16 what was going on to see if he could help with  
17 anything or had any advice. I'm not sure.  
18 Q Did Darius talk to them?  
19 A Yes. Darius talked to his coach, but I had  
20 him on speaker phone.  
21 Q Okay. And so this wasn't after he left for  
22 the hospital. This was still during the time you were  
23 waiting, right?  
24 A Yes. This was the time I was waiting.  
25 Q Okay. And who -- did anybody else witness

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1 everything that occurred?

2 Are you telling me everything that occurred  
3 with Deputy -- I'm sorry. That was a bad question.  
4 Are the only witnesses to the incident Deputy Bass,  
5 Deputy Sumrall, Antrinet, you and Darious, correct?

6 A Yes.

7 Q Do you remember anything else that happened?

8 A Besides the fact that it took five hours for  
9 us to find out where Darious was, while they debated  
10 on surgery, that's --

11 Q Okay. So you didn't know where Darious  
12 went?

13 A No. They wouldn't -- they wouldn't tell me.  
14 They told -- I called -- I finally got ahold of David  
15 Hogan after everything had happened and Darious was in  
16 the hospital. David Hogan said that he called the  
17 county jail and that they said that Darious was being  
18 booked into the jail.

19 Q So you didn't follow the ambulance?

20 A I called the hospital. The hospital told me  
21 that he wasn't there, that they didn't have a patient  
22 by that name. So then I called the jailhouse. Well,  
23 the court --

24 Q That's not the question, though. The  
25 question is, you didn't follow the ambulance, right?

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1 A No, I didn't follow the ambulance.

2 Q Okay. So you stayed at the house?

3 A Yes.

4 Q Okay. And what did you do? You just called  
5 the hospital?

6 A Yes, I kept calling the hospital. And once  
7 I talked to David Hogan, and he said he was being  
8 booked into the county jail, I was calling the jail,  
9 but I couldn't get a response from anyone.

10 Q Did you know he went to Forrest County  
11 Hospital?

12 A Yes, they said that he -- well, I didn't  
13 know exactly what hospital he went to, but I assumed  
14 he was going to Forrest General.

15 Q Did the ambulance tell you, the EMTs?

16 A No. They didn't tell me.

17 Q Okay. Why didn't you follow the ambulance?

18 A I had my niece there in the house.

19 Q Okay. So when -- when did you find out he  
20 was still in Forrest General?

21 A Five hours after calling and calling, his  
22 grandma finally got the hospital to let them know  
23 where he was, because I called several times. His  
24 grandma called several times. She finally -- they  
25 finally told her where he was, and as soon as we found

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1 out, we went up there.

2 Q Do you know if he had a surgery?

3 A They debated on surgery, but he did not have  
4 surgery.

5 Q Okay. And do you know the procedure they  
6 used to remove the prongs?

7 A No, ma'am.

8 Q Okay. Did he ever have any follow-up  
9 visits?

10 A Yes, ma'am.

11 Q Okay. What were they?

12 A He went for swelling and pain. And then he  
13 went again because he had a knot in his scrotum, and  
14 it had been, I want to say, two or three weeks after  
15 it had happened. That's when he went for the knot  
16 because he wasn't sure what was going on with that.

17 Q So he went twice?

18 A He went three -- I'm not sure exactly how  
19 many times. I want to say three or four times.

20 Q Did he just go to the ER?

21 A Yes.

22 Q Were you with him?

23 A I was with him the second time he went.

24 Q Okay. So was he discharged from the  
25 hospital that same day of the incident?

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1 A Yes.

2 Q And he came home?

3 A Yes.

4 Q Do you know how long Ms. Leggett was in  
5 jail?

6 A She was in jail from -- I'm not sure what  
7 time they booked her in, but we got her out at  
8 6 o'clock. They told us that if she was going to get  
9 out that day, that we had to be there by six.

10 Q Okay. Did you receive any physical injuries  
11 from the incident?

12 A No, ma'am. I had to -- I didn't receive any  
13 injuries or anything like that.

14 Q Have you seen a doctor about any mental  
15 issues?

16 A No, ma'am.

17 Q Okay. Do you know if you ever receive a  
18 citation?

19 A I didn't receive anything.

20 Q But did anybody tell you you were charged  
21 with anything?

22 A No.

23 Q Okay. Did you go to court on these charges?

24 A When I went to court, it wasn't for my  
25 charges. It was for Darious and Antrinet's charges.

<p style="text-align: right;">Page 41</p> <p>1 When we got there, Pamela Castle informed me that</p> <p>2 Blake had written two warrants for my arrest and</p> <p>3 that -- they discussed it in front of me. She asked</p> <p>4 him why didn't he get these approved, or whatever, by</p> <p>5 the judge, and he said that he didn't want anything to</p> <p>6 happen, that he didn't want to pursue it. So she said</p> <p>7 that they had to throw them out.</p> <p>8 Q So there were charges issued against you?</p> <p>9 A (Audio glitch.)</p> <p>10 Q Just said there were two.</p> <p>11 A I think it's frozen.</p> <p>12 COURT REPORTER: I think what?</p> <p>13 MS. SMITH: She froze. Is it better?</p> <p>14 THE WITNESS: Yeah. It was frozen.</p> <p>15 MS. SMITH: (Continuing.)</p> <p>16 Q Okay. So you had two against you that were</p> <p>17 dismissed?</p> <p>18 A Yes, ma'am.</p> <p>19 Q Okay. And do you know what those were for?</p> <p>20 A No, ma'am. They didn't even let me see</p> <p>21 them.</p> <p>22 Q Did you ever go to -- you never went to jail</p> <p>23 over this, right?</p> <p>24 A No. I've never been to jail in my life.</p> <p>25 I've never been arrested in my life.</p>	<p style="text-align: right;">Page 43</p> <p>1 leaving.</p> <p>2 Q Okay. When was that?</p> <p>3 A I can't -- I want to say around 9 o'clock.</p> <p>4 Q The next day?</p> <p>5 A Yes, ma'am.</p> <p>6 Q So September 28, 2017?</p> <p>7 A Yes, ma'am.</p> <p>8 Q And what time did they pick up the dogs?</p> <p>9 A I'm not exact on the time, but it was around</p> <p>10 9 a.m.</p> <p>11 Q Okay. Where were you?</p> <p>12 A Me and Darious were gone.</p> <p>13 Q Where were you?</p> <p>14 A I'm not sure. That was three years ago.</p> <p>15 Q Okay. But you were both out and about?</p> <p>16 A Yes, ma'am.</p> <p>17 Q Okay. And have you ever seen -- did they</p> <p>18 give you an order of seizure?</p> <p>19 A No.</p> <p>20 MS. SMITH: Amanda, can you pull up</p> <p>21 that order from justice court? It's number 13. Can</p> <p>22 you see it?</p> <p>23 COURT REPORTER: Do you see which one?</p> <p>24 1, 2, 3, 12 and 19 is what I've got.</p> <p>25 MS. SMITH: I don't have it for you.</p>
<p style="text-align: right;">Page 42</p> <p>1 Q Did Darious go to jail over this?</p> <p>2 A No.</p> <p>3 Q Okay. So he just came home from the</p> <p>4 hospital. That's it?</p> <p>5 A Yes, ma'am.</p> <p>6 Q So everybody got charged with something,</p> <p>7 correct?</p> <p>8 A Yes.</p> <p>9 Q Have you had any other problems with the</p> <p>10 Forrest County deputies prior to this?</p> <p>11 A Beside the traffic stop, the roadblock that</p> <p>12 they had set up.</p> <p>13 Q This is after?</p> <p>14 A Yes, this was after.</p> <p>15 Q Okay. And was that with who? Blake?</p> <p>16 A That was with Blake.</p> <p>17 Q Okay. Have you ever spoken to Sheriff Magee</p> <p>18 about this?</p> <p>19 A No, ma'am.</p> <p>20 Q Have you spoken to any other Forrest County</p> <p>21 employees?</p> <p>22 A No, ma'am.</p> <p>23 Q Were you there the day that the dogs were</p> <p>24 picked up by Southern Pines?</p> <p>25 A I didn't show up until Southern Pines was</p>	<p style="text-align: right;">Page 44</p> <p>1 Hold on. Daniel, do you have the order of seizure?</p> <p>2 MR. WAIDE: I've got it somewhere.</p> <p>3 Give me a minute.</p> <p>4 MS. SMITH: (Continuing.)</p> <p>5 Q It's Bates labeled 935 through 940. Do you</p> <p>6 have it?</p> <p>7 A Yes, ma'am.</p> <p>8 Q Are you looking at it right now?</p> <p>9 A Yes, ma'am.</p> <p>10 Q Okay. If you turn -- if you don't mind,</p> <p>11 turning to page -- it's got a little number at the</p> <p>12 bottom, and it says CLT Howard 937. Do you see that?</p> <p>13 A 937?</p> <p>14 Q Um-hum.</p> <p>15 A Okay.</p> <p>16 Q It says that three dogs were seized.</p> <p>17 A No, ma'am.</p> <p>18 Q There was -- there wasn't three dogs?</p> <p>19 A Two dogs.</p> <p>20 Q There were two? Okay. Why are there three</p> <p>21 on here?</p> <p>22 A I'm not sure why there are three on here.</p> <p>23 They only took two dogs.</p> <p>24 Q When did you get them back?</p> <p>25 A After the court date.</p>

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1 Q And when was that?  
 2 A I'm not exactly sure.  
 3 Q So you're not sure how long they were taken,  
 4 but they were returned eventually?  
 5 A They were taken for I want to say two  
 6 months. Two months. Yes, ma'am.  
 7 Q Okay.  
 8 MS. SMITH: I think that's all of the  
 9 questions I have. I think that's it. Do you have  
 10 any, Mary Lee?  
 11 MS. HOLMES: I don't have anything.  
 12 MR. WAIDE: I don't have anything.  
 13 (WHEREUPON, THE DEPOSITION WAS  
 14 CONCLUDED AT APPROXIMATELY 1:52 p.m.)  
 15  
 16  
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Page 46

1  
 2 CERTIFICATE OF REPORTER  
 3  
 4 I, AMANDA WOOTTON, Court Reporter and Notary  
 5 Public for the State of Mississippi, do hereby certify  
 6 that the above and foregoing pages contain a full,  
 7 true and correct transcript of the proceedings had in  
 8 the aforementioned case at the time and place indicated,  
 9 which proceedings were recorded by me to the best of  
 10 my skill and ability.  
 11 I also certify that I placed the witness under  
 12 oath to tell the truth and that all answers were given  
 13 under that oath.  
 14 I certify that I have no interest, monetary or  
 15 otherwise, in the outcome of this case.  
 16 This the 29th day of April 2020.  
 17  
 18  
 19  
 20  
 21  
 22 AMANDA M. WOOTTON  
 23 My Commission Expires:  
 24 December 15, 2022  
 25

Page 47

1 CERTIFICATE OF DEPONENT  
 2  
 3  
 4 I, \_\_\_\_\_, do hereby  
 5 certify that the foregoing testimony is true and  
 6 accurate to the best of my knowledge and belief, as  
 7 originally transcribed, or with the changes as noted  
 8 on the attached Correction Sheet.  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18 Subscribed and sworn to before me  
 19 this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.  
 20  
 21 \_\_\_\_\_  
 22 Notary Public  
 23  
 24 My Commission Expires:  
 25

Page 48

1 CORRECTION SHEET  
 2  
 3 I, \_\_\_\_\_, do hereby  
 4 certify that the following corrections and additions  
 5 are true and accurate to the best of my knowledge and  
 6 belief.  
 7  
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 19  
 20 Subscribed and sworn to before me  
 21 this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.  
 22  
 23 \_\_\_\_\_  
 24 My Commission Expires: Notary Public  
 25

	19:2;23:1,6,7;43:3,9	<b>bit (5)</b> 4:9;6:9;20:16;21:19; 27:9	<b>care (2)</b> 10:14,18	4:11;5:7;6:7,11; 10:18,25;11:12;37:17; 38:8,10;42:10,20
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